

**MINUTES OF PUBLIC SCHOOL FACILITIES SUBCOMMITTEE
DIVISION 6-9 SUBCOMMITTEE**

3710 Landmark Drive, Suite 201

April 11, 2005

10:00 a.m.

Subcommittee Members Present were: Rick Ott, Chair, Stan Gailey, Steve Usry, Jacqueline Myers, Jeffery Reynolds, Jamie Spears

Others present: Alex James, Robert Mitchell, Matt Skelley, John Kent, Shelly Kelly, Thurmond Porter, David Lindsay, Howard Coogler, Bob Cook, John Spells, Nate Spells, and Shonda Johnson-Pooser.

Absent was: Jim Brennan, Bill Lewis, Steve Coe

OPENING

Rick Ott opened the SC Public School Facilities Division 6-9 Subcommittee meeting by welcoming those present. This meeting is being held in order to implement a new inspection process of schools in South Carolina.

DISCUSSION/BUSINESS

Mr. Ott permitted Mr. James and Mr. Kent to begin by explaining some of the changes recommended by OSF.

Mr. James explained Due Diligence of Inspections. Mr. Ott felt the due diligence statement should be amended for clarification and the committee agreed that the statement should read as follows:

“As due diligence in order to adhere to Section 903 of the *South Carolina Public School Facilities Planning and Construction Guide*, the following initiatives are given:

1. The owner or his agent shall identify those entities as listed in memorandums issued on March 29, 2005, by OSF, as eligible to provide inspections of schools. Those entities (in addition to those listed in the memoranda) shall also include individuals or firms that the owner or his agent **retains and is determined to be qualified and approved by OSF**; and
2. By January 1, 2008, all inspectors of South Carolina public K-12 schools shall have applied for and meet all qualifications as set by the OSF.”

Mr. Ott began the discussion of legal issues of the inspection process with Shelly Kelly. A lengthy discussion ensued regarding liability. There was a question as to who, according to the statute, is the designee of the State Superintendent? Mrs. Kelly

explained that the law was expanded to include the deputies' designee. Therefore, an OSF approved inspector can act as a designee. There was more discussion of who was liable, i.e., OSF or the designee of OSF. Mrs. Kelly stated she would check on the possibility of getting a rider on the State's insurance policy for OSF designated inspectors.

Mr. James suggested this issue be tabled pending further research.

Mr. Kent presented information regarding the qualifications for designation as an approved inspector. He proposed using IBC, Chapter 1, Appendix A, Employee Qualifications, Paragraph A101.3 Inspector and plan examiner, which calls for five (5) years experience as a contractor, engineer, architect, or as a superintendent, foreman or competent mechanic in charge of construction. The inspector or plan examiner shall be certified through a certification program **recognized by OSF** for the appropriate trade **or higher standard required by OSF**.

Mr. Kent also presented information for approval to perform Chapter 17 inspections. Each special inspection requires different qualifications and/or certifications. A brief discussion ensued regarding the qualifications to become an inspector. Mr. Ott noted that ultimately, the architect and/or design professional designate which special inspections will be performed.

Mr. Usry presented a chart that addressed Chapter 17 inspections and showed an example of the quality assurance plan where the engineer identified the provisions of Chapter 17 that was appropriate to the project.

After a brief discussion, Mr. Kent presented a draft of the application for designation as an approved inspector, which reflects his proposal for qualifications. It also lists the types of inspections that would be required under Chapter 17. The applicant must list the educational background, certifications and/or degrees, and other relevant experience. He stated a card should be issued to incorporate a specific identification of the type of approval the inspector would have. Mrs. Kelly suggested listing the credentials and/or certification obtained beside each inspection category. Mr. Ott noted that this does not certify the entire firm, only individuals. He also asked if the OSF certification would be time sensitive. It was determined that the card be renewed bi-annually.

A discussion ensued regarding whether the person certified performs the actual inspection or if his/her technician can perform the inspection. Mr. Ott reiterated that individuals perform Chapter 1 inspections, and firms perform Chapter 17 inspections.

Mr. James discussed the form that should be developed to accompany the inspection agreement. This is a way to record all inspections that were performed. He presented a sample Agreement for Inspection Services. It was determined that this form would be reviewed and a form for provisions for a timely response to the call of contractor for inspections be drafted.

Mr. James stated that Chapter 1 inspections have been started on projects as of March 15, 2004, and it would be helpful to add the due diligence clause to the memoranda already being adhered to as clarification. If there are any problems the individual should call OSF for more information.

After more discussion regarding inspectors, Mr. Ott determined that no inspector (OSF or otherwise) has the authority to allow for a deviation of what is on the plans and specs submitted to the office.

Mr. Coogler wanted to ask questions regarding another division, but Mr. Ott only allowed discussion of what was already on the agenda.

There were no motions made or votes taken, only review and discussion of current issues.

ADJOURNMENT

The subcommittee meeting adjourned at 11:29 p.m.